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June 21, 2017

To: Hon. J. Paul Oetken (by ECF)
United States District Court
40 Foley Square
New York, NY 10007

Re: United States v. American University of Beirut
Case No. 14 cv 6899 (JPO)

Dear Judge Oetken:

I am writing on behalf of Ruthie Blum. Ms. Blum is a foreign national and is a blogger and journalist. Ms. Blum is currently employed by a think tank where she educates the public on matters relating to terrorism in the Middle East.

As such, I respectfully submit that Ms. Blum has independent standing to seek the unsealing of the Court file in this matter so that she can review it and determine whether there is information worth sharing with the public.

Accordingly, on behalf of Ms. Blum, I would like to apply to unseal the entire record in this matter. This would be consistent with case law in this Circuit:

The presumption of access is based on the need for federal courts, although independent—indeed, particularly because they are independent—to have a measure of accountability and for the public to have confidence in the administration of justice. Federal courts exercise powers under Article III that impact upon virtually all citizens, but judges, once nominated and confirmed, serve for life unless impeached through a process that is politically and practically inconvenient to invoke. Although courts have a number of internal checks, such as appellate review by multi-judge tribunals, professional and public monitoring is an essential feature of democratic control.

Monitoring both provides judges with critical views of their work and deters arbitrary judicial behavior. Without monitoring, moreover, the public could have no confidence in the conscientiousness, reasonableness, or honesty of judicial proceedings. Such monitoring is not possible without access to testimony and documents that are used in the performance of Article III functions.

Wolinsky v. Scholastic, Inc., 900 F.Supp.2d 332, 337 (S.D.N.Y. 2012) (quoting *Lugosch v. Pyramid Co. of Onondaga* 435 F.3d 110, 119 (2d Cir. 2006).

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Indeed, Ms. Blum's right of access derives in large part from the Constitution. *See United States v. UCB, Inc.*, 2017 WL 838198 at *2-3 (S.D.N.Y. March 3, 2017) (noting a First Amendment presumption in favor of public access to court records). *See also* United States Constitution Amdt. 1 ("Congress shall make no law . . . abridging the freedom of speech, or of the press . . .").

Accordingly, on behalf of Ms. Blum, I respectfully request that the court file in this matter be unsealed.

Respectfully yours,

/s/ David Abrams

David Abrams

cc: Christopher Harwood, Esq. (by ECF)

Defendant's Counsel (by ECF)

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United States District Court
Southern District of New York

United States of America ex rel.
[Redacted]
Plaintiff-Relator,
- against -
American University of Beirut,
Defendant.

Index No.:14cv6899 (JPO)

United States of America)
Plaintiff-Intervenor,)
- against -)
American University of Beirut,)
Defendant.)

Appearance

PLEASE take notice that David Abrams hereby appears in this matter on behalf of Ruthie Blum, a foreign national, and respectfully requests that copies of all papers in this matter be served on Ms. Blum through counsel.

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Dated: June 16, 2017
New York, New York